

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LISA DIANE HARVEY,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:24cv301-MHT
)	(WO)
WERNER ENTERPRISES,)	
)	
Defendant.)	

OPINION AND ORDER

Plaintiff, who is pro se, filed this lawsuit on a form made for lawsuits brought under Title VII of the Civil Rights Act of 1964.* This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that defendant's motion to dismiss be granted, that plaintiff's complaint be dismissed without prejudice, and that plaintiff be afforded an opportunity to file an amended complaint that complies with the

* It seems that plaintiff may have meant to bring a claim for discrimination on the basis of an actual or perceived disability but was unaware that such claims are brought under the Americans with Disabilities Act rather than Title VII.

Federal Rules of Civil Procedure and the directives contained in the recommendation. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

According, it is ORDERED that:

(1) The recommendation (Doc. 22) is adopted.

(2) Defendant's motion to dismiss (Doc. 15) is granted, and plaintiff's complaint is dismissed without prejudice.

(3) Plaintiff is granted leave to file an amended complaint that complies with the Federal Rules of Civil Procedure and the directives contained in the recommendation.

This case is not closed, and is referred back to the magistrate judge for further proceedings.

DONE, this the 24th day of February, 2025.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE